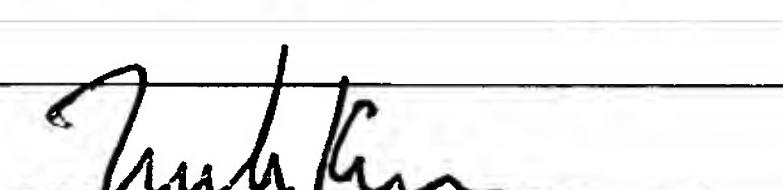


FORM PTO-1390 (REV. 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 566.45431X00
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 101551795
INTERNATIONAL APPLICATION NO. PCT/JP2004/004209	INTERNATIONAL FILING DATE 25 March 2004	PRIORITY DATE CLAIMED 27 March 2003 and 18 August 2003		
TITLE OF INVENTION OBSERVING TOOL AND OBSERVING METHOD USING THE SAME				
APPLICANT(S) FOR DO/EO/US Shiro KANEKASAKI et al.				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office(RO/US)</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>				
Items 11 to 20 below concern document(s) or information included:				
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Figs. 1-18; Request for Examination and Search Form; Credit Card Payment Form.</p>				

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER		
107551793	PCT/JP2004/004209	566.45431X00		
The following fees have been submitted:		CALCULATIONS PTO USE ONLY		
21. <input checked="" type="checkbox"/> Basic national fee \$300		\$300.00		
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provision of PCT Article 33(1)-(4) All other situations \$100 \$200		\$200.00		
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2) has paid on the international application to the USPTO as an International Searching Authority International Search Report prepared and provided to the Office All other situations \$100 \$400 \$500		\$500.00		
TOTAL OF 21, 22 and 23 =		\$1000.00		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		\$		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate	
- 100 =	/50 =		X \$250.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	13 - 20 =	0	x \$50.00	\$ 0.00
Independent Claims	8 - 3 =	5	x \$200.00	\$1000.00
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$360.00	\$ 0.00
TOTAL OF ABOVE CALCULATIONS =		\$1000.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.		\$		
SUBTOTAL =		\$2000.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$		
TOTAL NATIONAL FEE =		\$2000.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$		
TOTAL FEES ENCLOSED =		\$2000.00		
		Amount to be refunded:	\$	
		Amount to charged:	\$	
a. <input type="checkbox"/> A check in the amount of \$ to cover the above fees is enclosed.				
b. <input type="checkbox"/> Please charge my Deposit Account No. 01-2135 in the amount of \$ to cover the above fees.				
c. <input checked="" type="checkbox"/> A duplicate copy of this sheet is enclosed.				
d. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposition Account No. 01-2135. A duplicate copy of this sheet is enclosed.				
Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.				
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO: CUSTOMER NO. 020457 ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 North 17th Street, Suite 1800 Arlington, VA 22209 Customer No. 020457	 Signature Melvin Kraus <hr/> Name 22,466 <hr/> Registration No.			

10/551793

JC20 Rec'd PCT/PT5664543X02005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Shiro KANEKASAKI et al.

Application No.: Not Yet Assigned

Filed: September 27, 2005

For: OBSERVING TOOL AND OBSERVING
METHOD USING THE SAME

REQUEST FOR EXAMINATION AND SEARCH

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 27, 2005

Sir:

Applicants respectfully request that a search and examination be conducted in the above-identified application. The necessary search fee and examination fee are enclosed herewith.

Please charge any shortage in the fees due in connection with the filing of this paper, including excess claim fees, to Deposit Account No. 01-2135 (referencing case No. 566.45431X00), and please credit any excess fees to such deposit account.

Respectfully submitted,



Melvin Kraus
Registration No. 22,466
ANTONELLI, TERRY, STOUT & KRAUS, LLP

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1300 North Seventeenth Street
Suite 1800
Arlington, Va 22209
Telephone: (703) 312-6600
Fax: (703) 312-6666

10/551793

ATTACHMENT JC20 Recd/PCT/INTG 27 SEP 2005

International Application No. PCT/JP2004/004209	International Filing Date 25 March 2004	Attorney Docket No. 566.45431X00
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1. International Publication No. WO 2004/086116 A1 – Full Copy
2. PCT Request;
3. Amendment and Argument under Article 34 (Japanese – September 24, 2004);
4. Amendment and Argument under Article 34 (Japanese – April 21, 2004);
5. International Preliminary Examination Report;
6. International Search Report